

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RANDY G. ROSS,

Plaintiff,

v.

**Civil Action 2:19-cv-845
Judge Edmund A. Sargus
Magistrate Judge Kimberly A. Jolson**

UNITED STATES OF AMERICA, et. al.,

Defendants.

REPORT AND RECOMMENDATION

On January 22, 2020, Judge Sargus adopted the Undersigned's recommendation denying Plaintiff's Motion for leave to Proceed *in forma pauperis* and ordered Plaintiff to pay a one-time filing fee in the amount of \$400 within fourteen days. (Doc. 7). The Clerk mailed a copy of that Order to Plaintiff at the P.O. Box he provided on his Complaint, but it was returned as undeliverable. (See Doc. 8). It is Plaintiff's duty to keep the Court updated on his current mailing address. And because Plaintiff has failed to pay the filing fee in accordance with the Court's directive, it is **RECOMMENDED** that this case be **DISMISSED without prejudice** for want of prosecution. See, e.g., *Gravitt v. Tyszkiewicz*, 14 F. App'x 348, 348 (6th Cir. 2001).

Procedure on Objections

If any party objects to this Report and Recommendation, that party may, within fourteen (14) days of the date of this Report, file and serve on all parties written objections to those specific proposed findings or recommendations to which objection is made, together with supporting authority for the objection(s). A Judge of this Court shall make a *de novo* determination of those portions of the Report or specified proposed findings or recommendations to which objection is made. Upon proper objections, a Judge of this Court may accept, reject, or modify, in whole or in

part, the findings or recommendations made herein, may receive further evidence or may recommit this matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

The parties are specifically advised that failure to object to the Report and Recommendation will result in a waiver of the right to have the District Judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

IT IS SO ORDERED.

Date: April 30, 2020

/s/ Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE